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In Re Application of: Lorraine Faxon Meisner
Serial No: 10/614,768
Filing Date: 12/01/03 (correct filing date is 07/08/2003)
Art Unit: 1616
Confirmation No: 8047

TOTAL PAGES: 6
FAX NUMBER 703.746.9195

Attached is a Request for Corrected Filing Receipt to correct the filing date, with attached copies of Official Filing Receipt and Decision Granting Petition dated January 13, 2004.

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ATTORNEY DOCKET NO.
41758-P002D1C1

PATENT
10/614,768

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Lorraine Faxon Meisner
Serial No.: 10/614,768
Filed: July 8, 2003
Group Art Unit: 1616
Examiner: Not yet assigned
Title: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND RELATED SKIN DISORDERS

Mail Stop Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
 2. There is an error in that the following is:
XX: incorrectly entered:
 - a. please correct the Official Filing Date to read July 8, 2003. Attached as Exhibit A is a copy of the Decision Granting Petition issued by the PTO on January 13, 2004. This document confirms that this application should receive an Official Filing Date of July 8, 2003 (see page 2, paragraph 6, lines 2 and 3).
- : omitted
- : Applicant's name
- : Applicant's address
- : Title



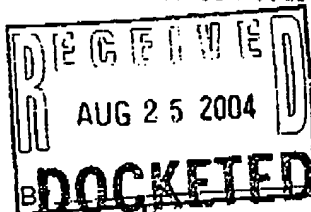
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/614,768	42/04/2003	1616	393	41758-P002D1C1	2	22	3

Winstead Sechrest & Minick P.C.
P. O. Box 50784
Dallas, TX 75201

07/08/2003



CONFIRMATION NO. 8047

FILING RECEIPT



OC000000013618513

Date Mailed: 08/23/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Lorraine Faxon Meisner, Madison, WI;

Domestic Priority data as claimed by applicant

This application is a CON of 10/185,388 06/28/2002

Foreign Applications

If Required, Foreign Filing License Granted: 10/24/2003

Projected Publication Date: 12/02/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Topical composition for the treatment of psoriasis and related skin disorders

Preliminary Class

424



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JAN 13 2004

OFFICE OF PETITIONS

In re Application of :
Lorraine Faxon Meisner : DECISION GRANTING
Application No. 10/614,768 : PETITION
Filed: 8 July, 2003 :
Attorney Docket No. 41758-P002D1C1 :

This is a decision on the petition styled under 37 CFR 1.182, filed on 1 December, 2003, which is treated as a petition requesting that the above-identified application, without drawings, be accorded a filing date of 8 July, 2003.

The application was filed on 8 July, 2003, without drawings.¹ Accordingly, on 24 October, 2003, Initial Patent Examination Division mailed a "Notice of Incomplete Nonprovisional Application" stating that no filing date had been assigned because the application was deposited without drawings, and requiring drawings be filed if necessary. In response, on 1 December, 2003, petitioners filed a preliminary amendment accompanied by three (3) sheets of drawings and the present petition.

Petitioners concede that the drawings were inadvertently omitted when the present application was filed, but state that the drawings were present in a prior-filed application incorporated by reference in the present application.

It has been PTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).² A review of the record reveals that Claims 74-101 are method claims. Therefore, the present application is deemed to be an application which does not require a drawing for an understanding of the invention. Accordingly, the application, as filed, is entitled to a filing date.

¹ 35 U.S.C. § 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

² MPEP 601.01(f).

Exh A-
pg 1

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Application No. 10/614,768

The petition is granted. Since the petition was necessitated by an error on the part of the USPTO, the petition fee submitted on 1 December, 2003, will be credited to counsel's deposit account, No. 23-2426.

The "Notice of Incomplete Nonprovisional Application" mailed on 24 October, 2003, was sent in error and is hereby vacated.

The application will be processed and examined using only the application papers filed on 8 July, 2003.

Obviously, in view of the incorporation by reference of the prior application, The three (3) sheets of drawings are not new matter if they were a part of the disclosure of the prior application.

The three (3) sheets of drawings will be reviewed by the examiner for new matter.

The application is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of 8 July, 2003, using only the application papers present on filing, and for an indication on the bib-data sheet that no (0) sheets of drawings were present on filing.

Telephone inquiries specific to this matter should be directed to the undersigned at 703.308.6918.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Exh A
Pg 2